

**Proposed Amendment to the Highrise Zone
Report and Recommendation
June 2, 2009**

Introduction

Councilmember Rasmussen is proposing to amend the provisions of the Highrise zone to permit a medical service use larger than 4,000 square feet in size as an administrative conditional use when it is an expansion of an existing medical service use nearby that is not a major institution. “Medical service use” is the defined term in the Land Use Code for the offices of health care providers such as doctors and dentists. Seattle’s Highrise zone currently permits small medical service uses, as well as other commercial uses such as retail, office, and restaurants, only on the ground floor of residential buildings.

Description of Proposal

The legislation would add a new section to Subchapter II of Chapter 23.45 of the Land Use Code, which regulates multifamily zones. Subchapter II addresses administrative conditional uses (ACUs). ACUs must be approved by the Director of the Department of Planning and Development (DPD), whose decision is appealable to the City's Hearing Examiner. Uses that are currently permitted as ACUs in multifamily zones include community centers, private schools, religious facilities, and park and pool lots. The DPD Director's decision must consider whether the use will be "materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located", and the Director may impose conditions to mitigate any adverse impacts of the project. In addition, the specific criteria and standards for each type of ACU must be met.

The proposal would permit medical service uses larger than 4,000 square feet only on large lots on the edges of commercial zones. In addition, to avoid the possibility of medical office uses displacing housing, the lot cannot have been in residential use for over 20 years. The proposed criteria state that the medical service use must be an expansion of an existing medical office nearby, and cannot be part of a major institution. Seattle's Highrise zoning is located on First Hill, which is also the site of several major institutions. See figure 1.

The purpose of the proposed criteria is to avoid encouraging speculative office development, and to prohibit the expansion of major institutions beyond their adopted overlay boundaries.



Figure 1. First Hill HR Zone

The remainder of the proposed new code section provides development standards for proposed medical service uses. Such uses would be required to go through the design review process, which includes at least two public meetings before the local Design Review Board. Other proposed standards address the permitted height and bulk of the medical office use. The standards are based in part on the DPD's January 2009 recommendations for amending the multifamily chapter of the Land Use Code. For example, landscaping requirements would be met by using the "green factor" system, which provides a menu of landscaping elements to promote attractive and ecologically functional development.

The proposal would limit the base of a medical services structure to a height of 45 feet. Above that, the size of any story in medical service use would be limited to 60 percent of the area of the lot. The maximum height of a medical service use would be 108 feet (the base height limit for residential uses in Highrise zones is 160 feet, and a height of 240 feet can be achieved through provision of amenities such as open space and affordable housing). A minimum of 25 percent of the lot area would be required to be provided as landscaped open space at ground level, and setbacks would be required at the upper levels of the building. The proposed development standards are intended to limit the bulk of medical service uses while providing some flexibility to design a structure that complements existing neighborhood character. If housing is also provided on the lot, it would be required to meet the Highrise zone requirements for residential uses.

Recommendation

The proposed amendment provides existing medical offices not associated with major institutions the opportunity to expand and continue serving their patients and customers while preserving the highrise residential character of First Hill. Staff recommends adoption.